

IN RE: PETITION FOR ADMIN. VARIANCE	* BEFORE THE
S/S Windsong Court, 630' S of	
the c/l of Keyser Road	* ZONING COMMISSIONER
(15 Windsong Court)	
3rd Election District	* OF BALTIMORE COUNTY
2nd Councilmanic District	
	* Case No. 96-268-A
Donald Zimmerman, et ux	
Petitioners	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for that property known as 15 Windsong Court, located in the vicinity of Stevenson Lane in Pikesville. The Petition was filed by the owners of the property, Donald and Phyllis Zimmerman. The Petitioners seek relief from Section 1B02.3.B (Sections 205.1 and 303.1) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front setback of 55 feet in lieu of the maximum average setback of 60 feet, and from Section 1B02.3.B (Section 205.3) of the B.C.Z.R. to permit a side setback of 4 feet in lieu of the minimum required 15 feet for a proposed addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 6.

As noted above, this matter came before me through the administrative variance process, pursuant to Section 26-127 of the Baltimore County Code, wherein the property owner can obtain variance relief without the necessity of a public hearing. The property is posted for a period of Fifteen (15) days during which any individual who lives within 1,000 feet of the subject site can request a public hearing. If no hearing is requested, the Zoning Commissioner has the authority to make a decision based on the documentation contained within the case file. In this case, a request

ORDER RECEIVED FOR FILING

Date

By

5/2/96
[Signature]

for hearing was made by the adjoining property owner, Dr. Frederick Sirkis, and the matter was scheduled for a public hearing to determine the appropriateness of the relief requested.

Appearing at the hearing on behalf of the Petition were Donald and Phyllis Zimmerman, property owners. The Petitioners were represented by Julius Lichter, Esquire. Also appearing on behalf of the Petition were Jean Seff, a representative of Adkim Builders, Inc., who is designing the proposed improvements, and Kenneth J. Wells, Registered Property Line Surveyor, who prepared the site plan for this project. Appearing as Protestants in the matter were Frederick Sirkis, M.D., who requested the public hearing, and his father, Burt Sirkis. Dr. Sirkis was represented by David K. Gildea, Esquire. Also appearing as a Protestant in the matter was Lorraine Friner, a nearby resident.

Testimony and evidence offered revealed that the subject property consists of .5503 acres, more or less, zoned D.R. 2 and is improved with a one-story, single family dwelling. Mr. Zimmerman testified that he is the original owner of the dwelling, having acquired the property approximately 23 years ago. At that time, a carport existed on the west side of the dwelling and was large enough to accommodate one vehicle. In 1989, Mr. Zimmerman obtained the requisite building permits and constructed an addition to the side and rear of the dwelling and extended the carport. The carport is now large enough to accommodate two vehicles and the addition on the southeast side of the home added a bedroom and additional living space.

The Petitioner now comes before me seeking approval to make additional improvements. Mr. Zimmerman proposes to enclose the rear area of the carport to provide additional interior living space, as shown on

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Date 5/2/90
By [Signature]

Petitioner's Exhibit 1, a floor plan of the proposed improvements. An area for a mud room, bathroom and storage space will be added. Due to the fact that the rear portion of the carport will be enclosed, the Petitioner wishes to extend the front of the carport approximately 6 feet towards the front property line. In addition to these improvements, the Petitioner proposes adding a 30' x 10' addition along the front of the dwelling to enlarge the living room and provide additional living space.

Mr. Zimmerman testified that the property is pie shaped with narrow frontage at the road and a rather lengthy width across the rear property line. He testified that his property abuts Ms. Friner's property to the east and a 15-foot wide fee strip owned by Baltimore County to the west. As shown in photographs submitted, this fee strip is improved with a sidewalk which leads from Windsong Court to the site of the Fort Garrison Elementary School. Apparently, students and others utilize this sidewalk to walk to the school property. Abutting the fee strip on the west side is the property owned by Dr. Sirkis. Due to the construction of the addition on the front of the property and the expansion of the carport towards the front (north) property line, the front and side yard setbacks are reduced. The front setback as shown on the plan will be 58.4 feet; however, a variance to permit a setback of 55 feet is requested to allow a few extra feet to adjust to field conditions. Toward the side property line shared with the County, a setback of 8.7 feet presently exists. As a result of the proposed expansion, that setback will be reduced to 5.8 feet. The Petition was amended at the hearing to request a setback of 5.8 feet as opposed to 4 feet as stated in the Petition.

Mr. Zimmerman testified that the uniqueness of the property is due to its irregular pie shape and unusual drainage conditions to the

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Date

By

rear. He noted that the area has traditionally suffered from poor drainage and that serious drainage problems existed shortly after he purchased the house in the 1970s. He testified that significant work had been performed in the rear yard to alleviate these conditions. As shown on the site plan, a retaining wall has been constructed and drains installed. Apparently, a considerable amount of water flows from the school property downgrade towards the Petitioner's home. Due to these concerns, the Petitioner believes that the only appropriate location for the proposed expansion of the house is where contemplated. He indicated that expansion of the house towards the rear would interfere with the drains and retaining wall already in place.

Ms. Jean Seff, a representative of Adkims Builders, concurred with Mr. Zimmerman's testimony. Her company designed and will construct the proposed additions, assuming variance relief is granted. She believes that the uniqueness and configuration of the lot, and existence of drainage problems in the rear, justifies the variance relief requested. Also testifying in support of the Petition was Kenneth Wells, Property Line Surveyor. Mr. Wells indicated that the property as it presently exists does not meet current side yard setback requirements and that the proposed improvements will only reduce the variance by a minor amount (2.9 feet). He believes that strict compliance with the zoning regulations would be unduly burdensome and impractical.

Dr. Sirkis, who resides on the other side of the County's fee strip, testified in opposition to the request. He purchased his property in 1989, shortly after the Petitioners began work on the addition. He is specifically concerned over the potential additional encroachment into the side setback area by the Petitioner. He also expressed fears for the safety

ORDER RECEIVED FOR FILING
Date 5/2/86
By [Signature]

of children using the fee strip sidewalk and believes the expansion of the carport will reduce light and air and detrimentally affect his property.

Dr. Sirkis' father, a recently retired builder, also testified. Mr. Burt Sirkis' testimony primarily related to the drainage issues and the steps that the Petitioner could take to alleviate the problems. Unfortunately, it appears that many of the recommendations made by Mr. Sirkis would require the relocation of existing improvements. Particularly, he testified that the area of the macadam driveway and retaining wall could be reconfigured to promote better drainage.

Lastly, testimony was received from Lorraine Friner, who resides on the other side of the property. She fears that the proposed construction could block her view of the fee strip.

In order for variance relief to be granted, the Petitioner must satisfy the standards set forth in Section 307 of the B.C.Z.R. and the case law. Most recently, Section 307 was construed by the Maryland Court of Special Appeals, in Cromwell v. Ward, 102 Md. App. 691 (1995).

In Cromwell, *infra*, the Court noted that in order for variance relief to be granted, the Petitioner must demonstrate that the subject property is unique. In this case, I find that the property is indeed unique. The irregular shape of the property is a unique characteristic which makes strict compliance with the setback requirements difficult. Moreover, the unusual drainage patterns associated with the property, particularly the runoff from the school property to the rear of the site across the subject property towards the front, justifies a deviation from strict compliance with the regulations.

Section 307 also requires that the Petitioner demonstrate that a practical difficulty or unreasonable hardship would exist if the variance

is denied. Moreover, the Petitioner must demonstrate that relief can be granted so as not to detrimentally affect surrounding properties. In this case, I find that the Petitioner has satisfied these burdens. In my judgment, the only possible area for expansion would be as shown in the Petitioner's plans. Construction towards the rear of the property is impractical due to existing improvements in the rear yard and the drainage problems associated therein. Construction on the other side of the house would impinge towards the Friner property.

Further, I do not concur with the testimony offered by Dr. Sirkis regarding potential detriment to his property. The area of the carport is being extended forward merely a distance of 6 feet which will cause no real impact. Moreover, there is no change in the area of impermeable surface on the property, thus, no potential for increased storm water runoff or other detrimental impact. The concerns of Dr. Sirkis and Ms. Friner over the safety of the children are not persuasive. The reduced setback area in the Petitioner's yard will not impact use of the fee strip by students and individuals travelling to and from the school property.

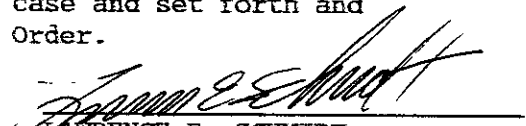
For these reasons, I am persuaded to grant the Petition for Variance. However, I will condition the relief as follows. Specifically, the carport shall remain open on the two exposed sides, that is, the front (north) and side (west) shall remain open. Therefore, the carport cannot be enclosed except as shown on Petitioner's Exhibit 1. In my judgment, adding this restriction will reduce any potential impacts on Dr. Sirkis' property insofar as interference with adequate light and air.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

ORDER RECEIVED FOR FILING
Date 5/7/96
By [Signature]

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 7th day of May, 1996 that the Petition for Administrative Variance seeking relief from Section 1B02.3.B (Sections 205.1 and 303.1) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front setback of 55 feet in lieu of the maximum average setback of 60 feet, and from Section 1B02.3.B (Section 205.3) of the B.C.Z.R. to permit a side setback of 4 feet in lieu of the minimum required 15 feet for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The carport shall remain open on the two exposed sides; that is, the front and side of the subject carport shall not be enclosed so as not to restrict light and air from passing through.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date 5/17/96

By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

Mr. & Mrs. Donald Zimmerman
15 Windsong Court
Baltimore, Maryland 21208

RE: PETITION FOR ADMINISTRATIVE VARIANCE
S/S Windsong Court, 630' S of the c/l of Keyser Road
(15 Windsong Court)
3rd Election District - 2nd Councilmanic District
Donald Zimmerman, et ux - Petitioners
Case No. 96-268-A

Dear Mr. & Mrs. Zimmerman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Ms. Jane Seff, c/o Adkim Builders
1221 Greenwood Road, Baltimore, Md. 21208

David K. Gildea, Esquire, Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue, Towson, Md. 21204

Dr. Frederick Sirkis, 14 Windsong Court, Baltimore, Md. 21208
Ms. Lorraine Friner, 13 Windsong Court, Baltimore, Md. 21208

People's Counsel
Case File





Petition for Administrative Variance

96-268-A

to the Zoning Commissioner of Baltimore County

for the property located at

15 Windsong Ct

which is presently zoned D.R. 2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3B.(205.1 & 303.1)

to permit a front setback of 55' in lieu of the maximum average setback of 60'. Section 1B02.3B.(205.3) to permit a side setback of 4' in lieu of the required setback of 15'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

SEE OTHER SIDE

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

State

Zipcode

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

15 Windsong Ct.

Address

Phone No.

Balto., Md. 21208

City

State

Zipcode

Name, Address and phone number of representative to be contacted, if

Norman Seff c/o Adkim Bldrs.

Name

1221 Greenwood Rd.

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: MDL DATE 1/18/96

ESTIMATED POSTING DATE 1/20/96



Printed with Soybean Ink
on Recycled Paper

ITEM #: 278

ORDER RECEIVED FOR FILING

Date

By

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 15 Windsong Court
address
Balto. Md. 21208
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

At the present time, a carport exists on the side of the house.
The proposal is to construct a larger
carport with an addition on the rear of this carport. In
addition, an expansion of the living room is proposed to the
front. These additions are necessary to allow a 2 car carport
and additional living area. Because of the existing floor plan
and drive, these additions cannot be constructed anywhere else
In view of the above, unreasonable hardship and practical

difficulty would result if the requested zoning variance is not granted.
That Affiant(s) solemnly declares that if a protest is filed, Affiant(s) will be required to pay a reporting and advertising cost
may be required to provide additional information.

Donald K. Zimmerman
(signature)
Donald K. Zimmerman
(type or print name)



Phyllis B. Zimmerman
(signature)
Phyllis B. Zimmerman
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21st day of November, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Donald + Phyllis Zimmerman

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

11/21/95
date

Balaine D. Moran
NOTARY PUBLIC

My Commission Expires: February 1998

96-268-A

DESCRIPTION FOR VARIANCE

Located on the south end of Windsong Court (cul-de-sac) approximately 630' south of Keyser Road and known as lot #8 as shown on Plat of Section 5 of Stevenson at Anton Farms, which is recorded in the land records of Baltimore County in liber 33 folio 141. Also known as 15 Windsong Court and containing .55 Ac.

#278

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-268

District 3rd. Date of Posting 3/13/96
Posted for: 4-2-96 hearing
Petitioner: DONALD ZIMMERMAN & PHILLIS ZIMMERMAN
Location of property: 15 WINSONG CT.
Location of Sign: FRONT LAWN.
Remarks: _____
Posted by *Deawn J. Helt* Date of return: 3/13/96
Number of Signs: 1



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 3

Date of Posting 1/26/96

Posted for: Administrative Variance

Petitioner: Donald Zimmerman and Phyllis B. Zimmerman

Location of property: 15 Windsong Court

Location of Signs: Front Yard of Dwelling at Street

Remarks: _____

Posted by Mark Gavel / Jeff Perlow

Date of return: _____

Number of Signs: 1



NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning and Code Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, of Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Former: Closing Date: 2/12/96
Case #88-268-4

(Item 276)

18 Windsor Court

815 Windsor Court, 830 S

of Ketter Road

3rd Election District

Legal Owner(s)

Dorcas Zimmerman and

Paul B. Zimmerman

Wanted to permit a front

substitution of the front

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CERTIFICATE OF PUBLICATION

TOWSON, MD., 3/14, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/14, 1996.

THE JEFFERSONIAN,

A. H. Erickson
LEGAL AD. - TOWSON

3/16 March 14

CS7107

REQUEST FOR HEARING

TO THE ZONING COMMISSIONER FOR BALTIMORE COUNTY:

Re: Case Number:

96-268 A

Petitioner(s):

~~FREDRIC SIRKIS~~

PHYLISSA
DONALD
ZIMMERMAN

Location:

15 WINDSONG COURT

I/WE, FREDRIC SIRKIS

Name(s)

(TYPE OR PRINT)

☒ Legal Owners ☒ Residents, of

14 WINDSONG COURT

Address

BALTO. MD. 21208

City/State/Zip Code

410 484-3182

Phone

which is located approximately IMMEDIATELY - ADJACENT feet from the

property which is the subject of the above petition, do hereby formally request that a public hearing be set in this matter.

Fredric Sirkis

Signature

2/7/96

Date

Signature

DAYTIME PHONE

Date

284-1313

I WILL BE UNAVAILABLE FOR HEARING ON MARCH 6

Fredric Sirkis

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 014000

DATE 7 Feb 96 ACCOUNT R-001-6150
AMOUNT \$ 41.00 ^{21.00}

RECEIVED
FROM:

Mr Sirkis

FOR:

Request for hearing

03471#0054#ICHRC
82 001 30 PM 02 07-96

\$41.00

96-268-A

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 092695

96-268-A

DATE 1/18/96 ACCOUNT 01-615

Int. 278
B. m7k

AMOUNT \$ 85.00

RECEIVED
FROM:

Al Kim Builders (Zimmerman - 15 Windsor Ct)

010- Res Var — \$50.00

080- 1 sign — \$35.00

\$85.00

FOR:

03471#0054#ICHRC
82 001 30 PM 02 07-96

\$85.00

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 278 Petitioner: Donald Zimmerman

Location: 15 Windsong Ct.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Al Kim Builders

ADDRESS: 1721 Greenwood Rd.

Baltimore, MD 21208

PHONE NUMBER: 486-6027

TO: PUTUXENT PUBLISHING COMPANY
March 14, 1996 Issue - Jeffersonian

Please forward billing to:

Donald Zimmerman
15 Windsong Court
Baltimore, MD 21208
486-6027

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Former Closing Date: 2/12/96
CASE NUMBER: 96-268-A (Item 278)
15 Windsong Court
S/S Windsong Court, 630' S of c/l Keyser Road
3rd Election District - 2nd Councilmanic
Legal Owner: Donald Zimmerman and Phyllis B. Zimmerman

Variance to permit a front setback of 55 ft. in lieu of the maximum average setback of 60 ft. and to permit a side setback of 4 ft. in lieu of the required setback of 15 ft.

HEARING: TUESDAY, APRIL 2, 1996 at 2:30 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

January 31, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-268-A (Item 278)
15 Windsong Court
S/S Windsong Court, 630' S of c/l Keyser Road
3rd Election District - 2nd Councilmanic
Legal Owner: Donald Zimmerman and Phyllis B. Zimmerman

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property has been posted. February 12, 1996 is your closing date. This is the last date on which a neighbor may file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Donald and Phyllis Zimmerman
Norman Seff





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 7, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Former Closing Date: 2/12/96
CASE NUMBER: 96-268-A (Item 278)
15 Windsong Court
S/S Windsong Court, 630' S of c/l Keyser Road
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Legal Owner: Donald Zimmerman and Phyllis B. Zimmerman

Variance to permit a front setback of 55 ft. in lieu of the ~~maximum~~ average setback of 60 ft. and to permit a side setback of 4 ft. in lieu of the required setback of 15 ft.

HEARING: TUESDAY, APRIL 2, 1996 at 2:30 p.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Donald and Phyllis Zimmerman
Norma Seff
Fredric Sirkis

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 29, 1996

NOTICE OF REASSIGNMENT

Former Closing Date: 2/12/96
Reset from 4/2/96
CASE NUMBER: 96-268-A (Item 278)
15 Windsong Court
S/S Windsong Court, 630' S of c/l Keyser Road
3rd Election District - 2nd Councilmanic
Legal Owner: Donald Zimmerman and Phyllis B. Zimmerman

Variance to permit a front setback of 55 ft. in lieu of the maximum average setback of 60 ft. and to permit a side setback of 4 ft. in lieu of the required setback of 15 ft.

HEARING: TUESDAY, APRIL 30, 1996 at 9:00 a.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

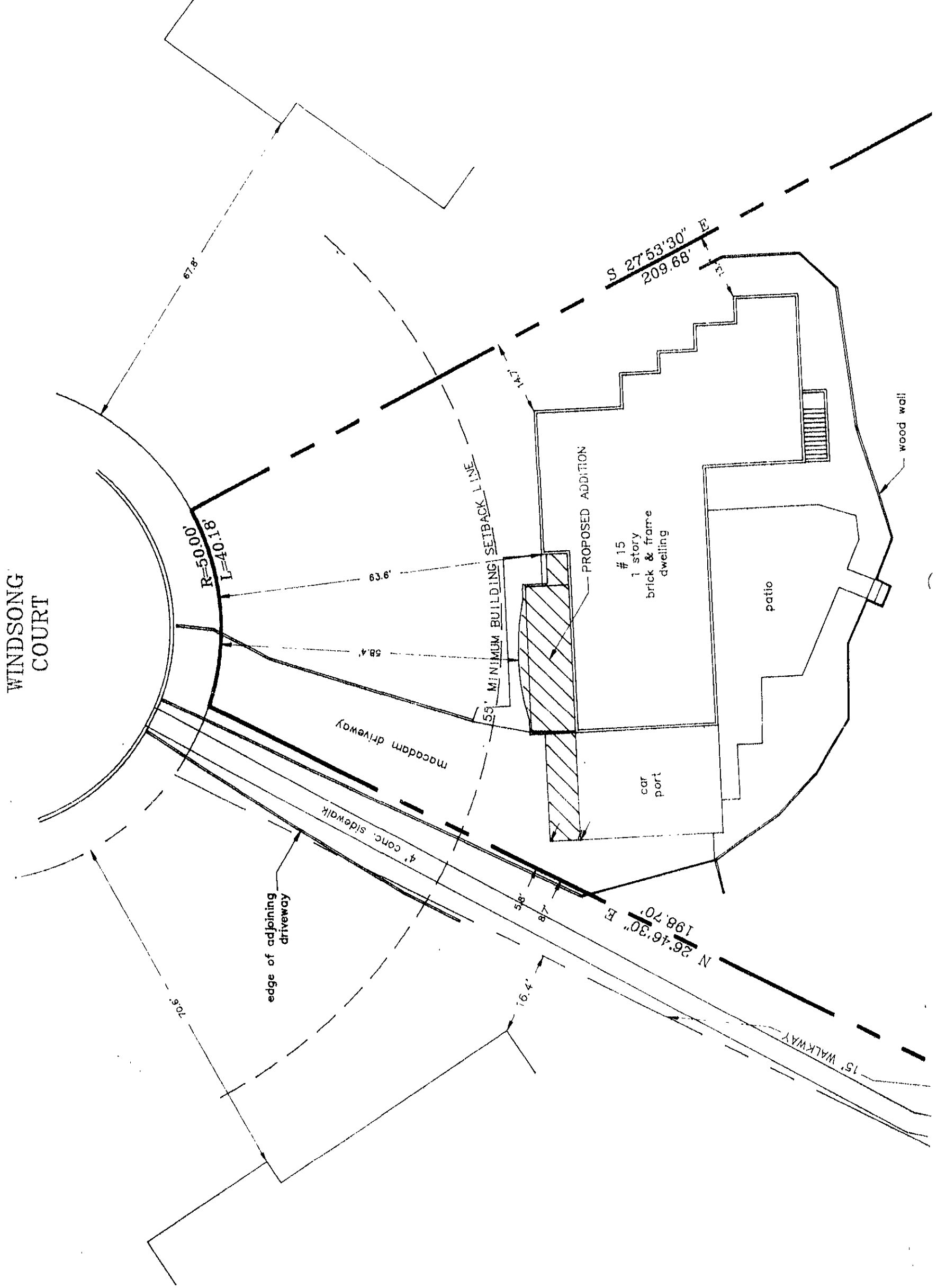
ARNOLD JABLON
DIRECTOR

cc: Donald and Phyllis Zimmerman
Norman Seff/Adkim Builders
Fredric Sirkis



SITE DATA:

- 1) OWNERS: DONALD & PHYLLIS ZIMMERMAN
- 2) ADDRESS: 15 WINDSONG COURT
BALTIMORE, MARYLAND 21208
- 3) DEED REFERENCE: 5303/319
- 4) PLAT REFERENCE: 33/141
- 5) ELECTION DISTRICT: 3rd
- 6) COUNCILMANIC DISTRICT: 2nd
- 7) ADC MAP NO.: 25 J6
- 8) AREA: 0.5503 ACRES





Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

February 6, 1996

Mr. and Mrs. Donald Zimmerman
15 Windsong Court
Baltimore, MD 21208

RE: Item No.: 278
Case No.: 96-268-A
Petitioner: D. Zimmerman, et ux

Dear Mr. and Mrs. Zimmerman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 18, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

1-26-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 278 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 01/29/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 29, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 271, 272, 273, 274, 276, 277 AND 278.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: February 2, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 273, 274,
275, 277, 278, 279, 281, 282, and 285

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Edry L. Kerns

PK/JL

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Feb. 5, 1996
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for February 5, 1996
Items 272, 273, 275, 276 and 278

The Development Plans Review Division has reviewed
the subject zoning items and we have no comments.

RWB:sw



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

February 8, 1996

Donald and Phyllis B. Zimmeran
15 Wondsong Court
Baltimore, Maryland 21208

Re: CASE NUMBER: 96-268-A

Dear Petitioners:

A formal REQUEST FOR PUBLIC HEARING has been filed in your case. Formal notification of the hearing date will be forwarded to you shortly.

As you recall, it now becomes necessary to repost the property and run notice of the hearing in a newspaper of general circulation. This office will ensure that the legal requirements for posting and advertising are satisfied.

Reposting charges in the amount of \$35.00 is now due. Your check in this amount should be made payable to "Baltimore County, Maryland" and immediately mailed to this office.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

Please be further advised that non-payment of fees will stay the issuance of the Zoning Commissioner's Order.

If you have any questions concerning this letter, you may contact Gwen Stephens at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Arnold Jablon".

ARNOLD JABLON, DIRECTOR



PETITION PROBLEMS

ALMOST, BUT NOT QUITE...

#278 --- MJK

1. No telephone number for legal owner on petition form.

PROTESTANT(S) SIGN-IN SHEET

NAME

Fredrick
Burt
Katherine
David

ADDRESS
14 WINDSONG CT.
3422 Philips Dr.
13 WINDSONG Ct.
Whiteford Tyla & Preston
210 W. Penn. Ave
Towson, MD 21204

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Jan Saff
Phyllis Zimmerman
Kenneth G. Webb
Donald Zimmerman

217 Oak Ave. Balto. Md. 21208
15 Windsong Ct, Balto, MD 21208
7403 NewCent Rd 21087
15 Windsong Court. Balto, MD 21208



96-268-A

N 40,00

W 25,500

E 884,000

N 573,

R.C. 5

92-452-A

KESER

WOODS

CT.

D.R. 1

JENNY

LA

N 39,00

ROAD

WINDSONG

CT.

MARCIE

D.R. 1

N 38,00

D.R. 2

278

SITE



OLLO



BALTIMORE COUNTY MARYLAND

DEPARTMENT OF PERMITS AND LICENSES

TOWSON, MARYLAND 21204

John R. Reig

BUILDING PERMIT

PERMIT #: B010751 CONTROL #: MR DIST: 03 PREC: 08
DATE ISSUED: 04/03/89 TAX ACCOUNT #: 1600000201 CLASS: 04

PLANS: CONST PLOT 3 R PLAT DATA ELEC YES PLUM NO
LOCATION: 15 WINDSONG CT
SUBDIVISION: STEVENSON AT ANTON FARM

OWNERS INFORMATION

NAME: ZIMMERMAN DONALD & PHYLLIS
ADDR: 15 WINDSONG CT.

TENANT:

CONTR J.E. DUDGEON & ASSOC.

ENGR:

SELLR

WORK: CONSTRUCT ADDITION ON REAR & SIDE OF SFD TO BE
USED AS FAMILY ROOM & CLOSETS. 32'7"X20X12=755SF
WAIVE CONST PLANS A.L.B. 4/3/89

BLDG. CODE: 1 AND 2 FAM. CODE
RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

ESTIMATED \$ PROPOSED USE: SAME & ADD
4,500.00 EXISTING USE: SFD

TYPE OF IMPRV: ADDITION

USE: ONE FAMILY

FOUNDATION:

SEWAGE: PUBLIC EXIST

BASEMENT:

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 040/226X198/209

FRONT STREET:

SIDE STREET:

FRONT SETB: NC

SIDE SETB: 23'4"

SIDE STR SETB:

REAR SETB: 75'

Noted

Baltimore County Department Of Public Works

COUNTY OFFICE BUILDING

TOWSON, MARYLAND 21204

Bureau of Public Services

June 7, 1974

GEORGE A. REIER, P.E.
CHIEF

Schnaper & Koren
4612 Hawksbury Road
Baltimore, Maryland 21208

Attention: Mr. Richard Koren

Re: Stevenson at Anton Farms, Sec. 5
P. W. A. 36902
District 3

Gentlemen:

We are in receipt of a letter from Mr. Donald Zimmerman with reference to the existing storm drain complaint. Mr. Zimmerman has called many times in the past year with reference to this storm drain condition.

On July 19, 1973 we wrote to you requesting you to prepare the engineering and to make the improvements. We are in receipt of the construction drawings and you have received copies. On November 5, 1973 we again wrote to you with reference to performing this work under a Performance Bond.

Because of the long time that has elapsed and the seriousness of this drainage problem we are requesting immediate action. It is therefore requested that the information referred to in the letter of November 5, 1973 be submitted within the next ten (10) days and that this work be under construction within the next thirty (30) days.

Should there be further questions concerning this matter, please contact this office.

Very truly yours,

(SIGNED) GILBERT S. BENSON

GSB:hwl

GILBERT S. BENSON, Asst. Chief
Bureau of Public Services

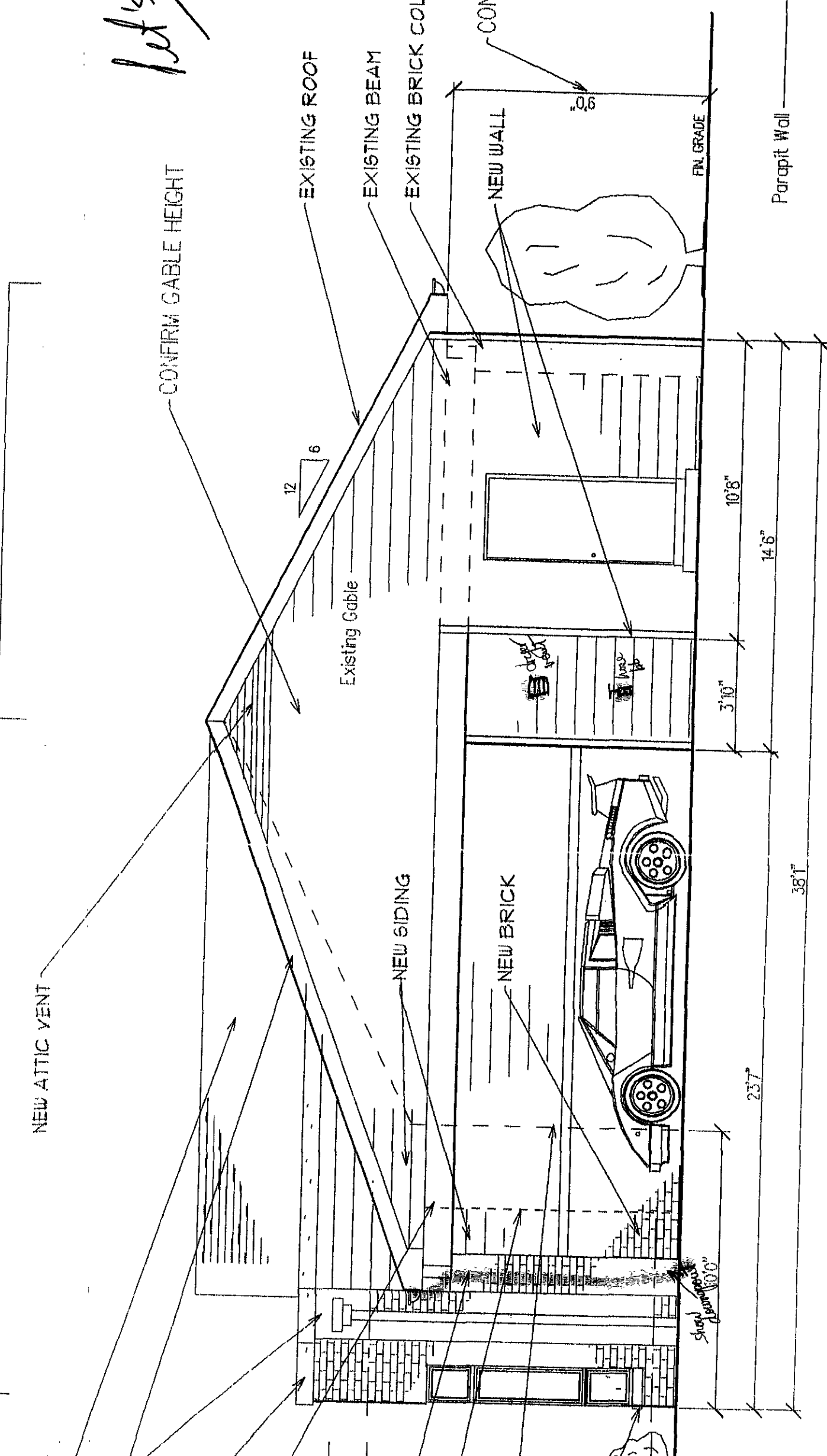
cc: Edward A. McDonough
File

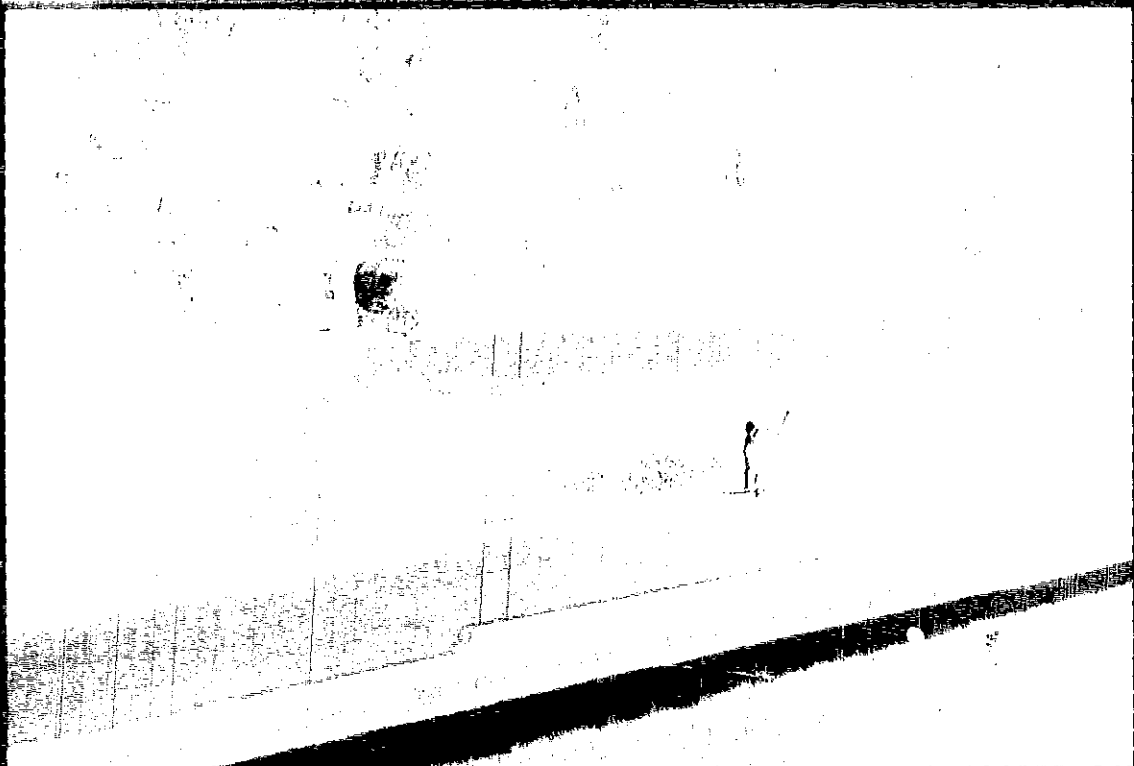
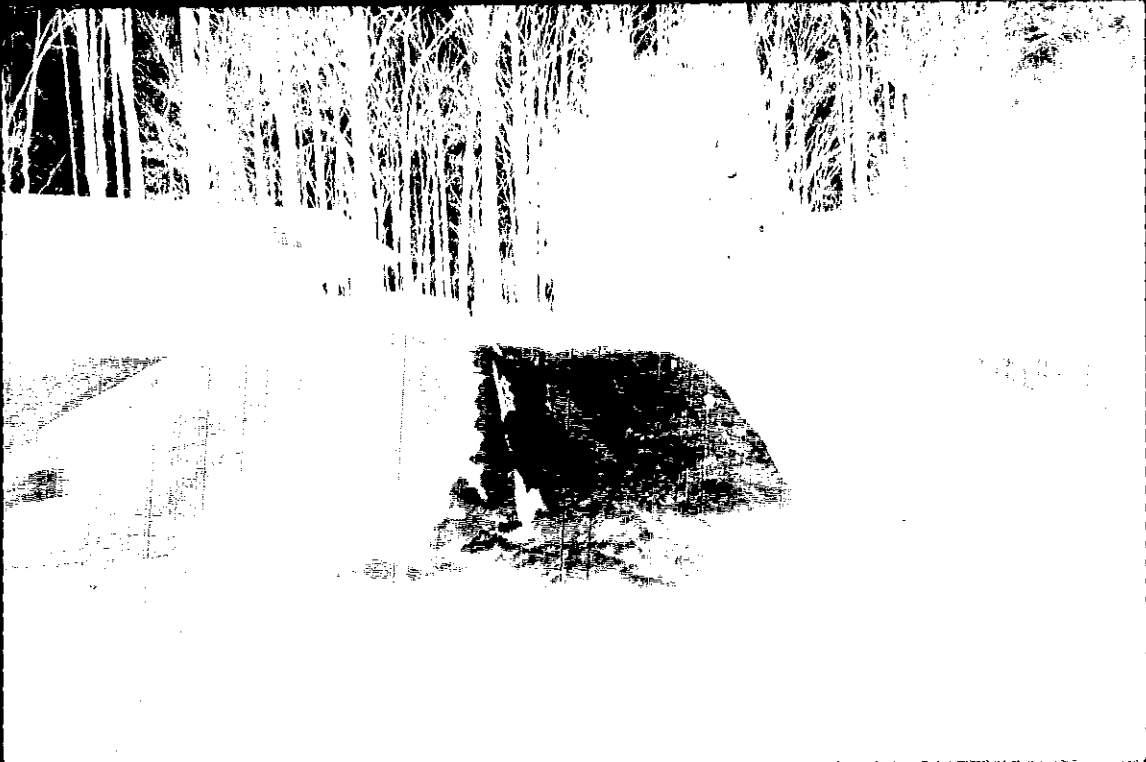
Ref
413

PROPOSED ADDITION AND RENOVATIONS

PROPOSED ADDITION IN EXISTING CARPORT

Let's No 5





96-268-A

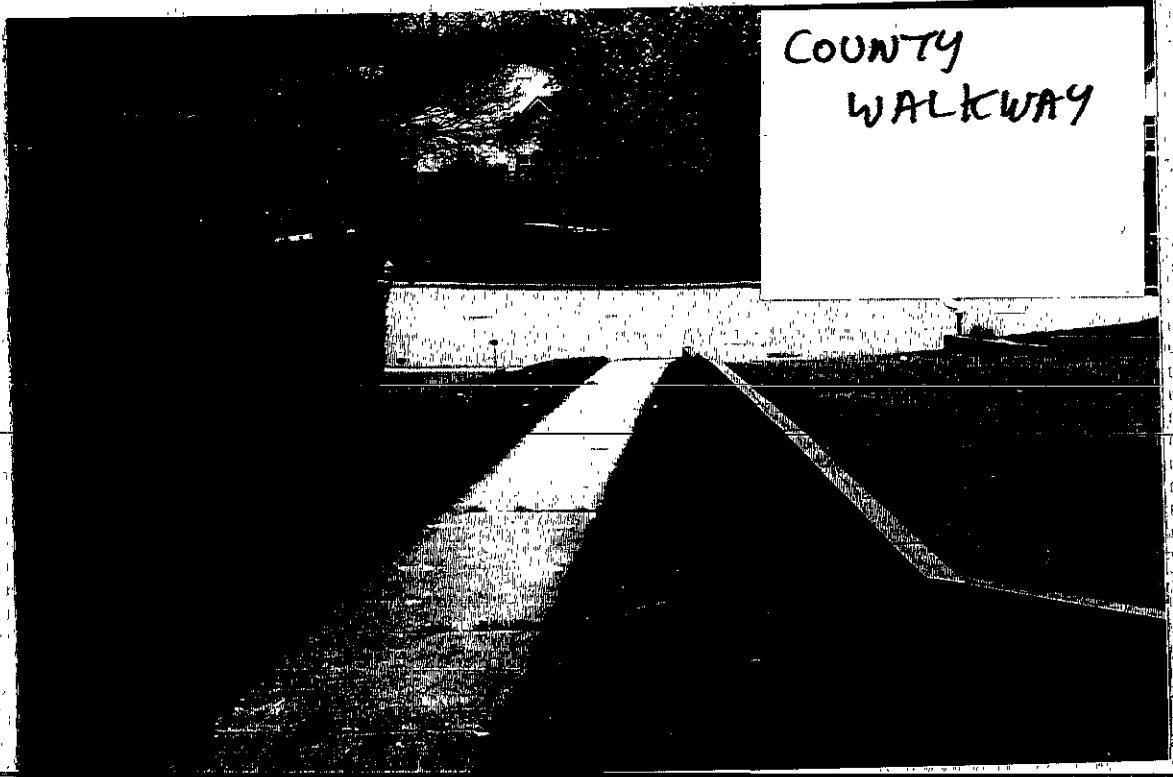


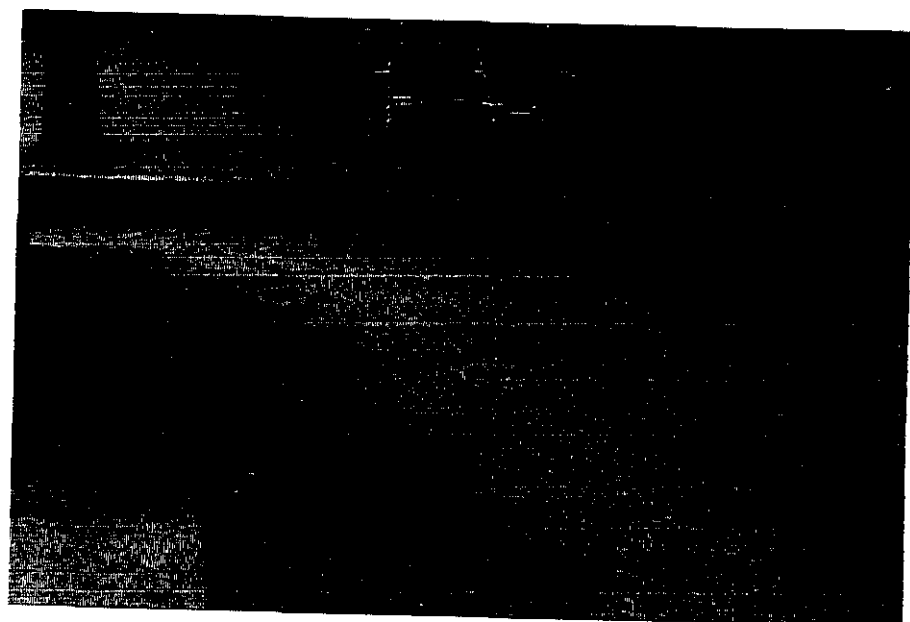


PRIVACY
HEDGE



COUNTY
WALKWAY

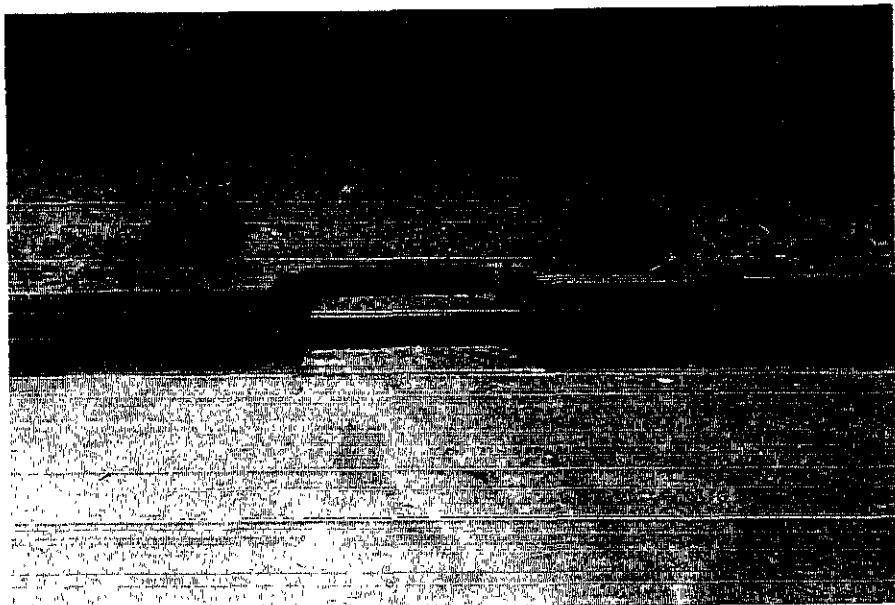


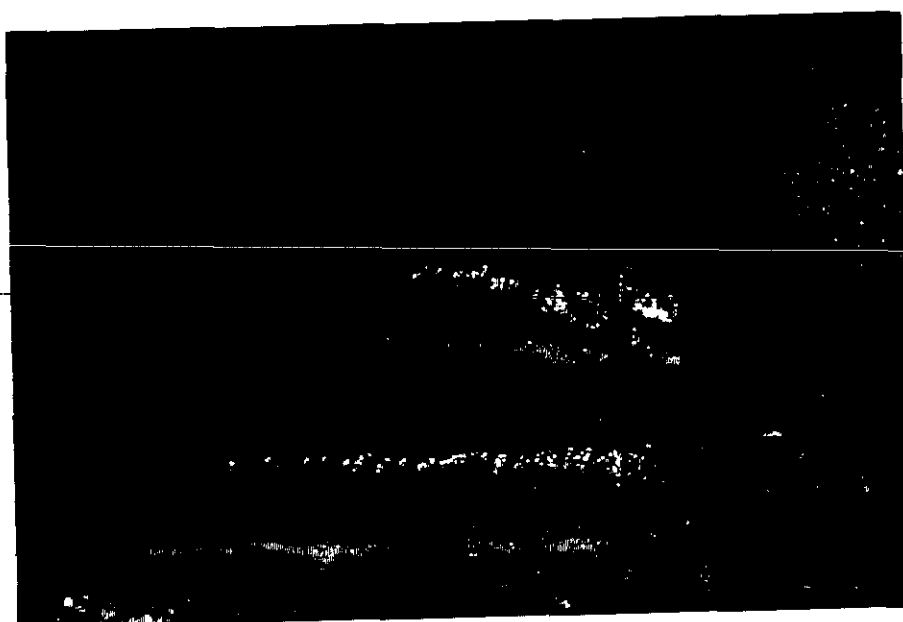










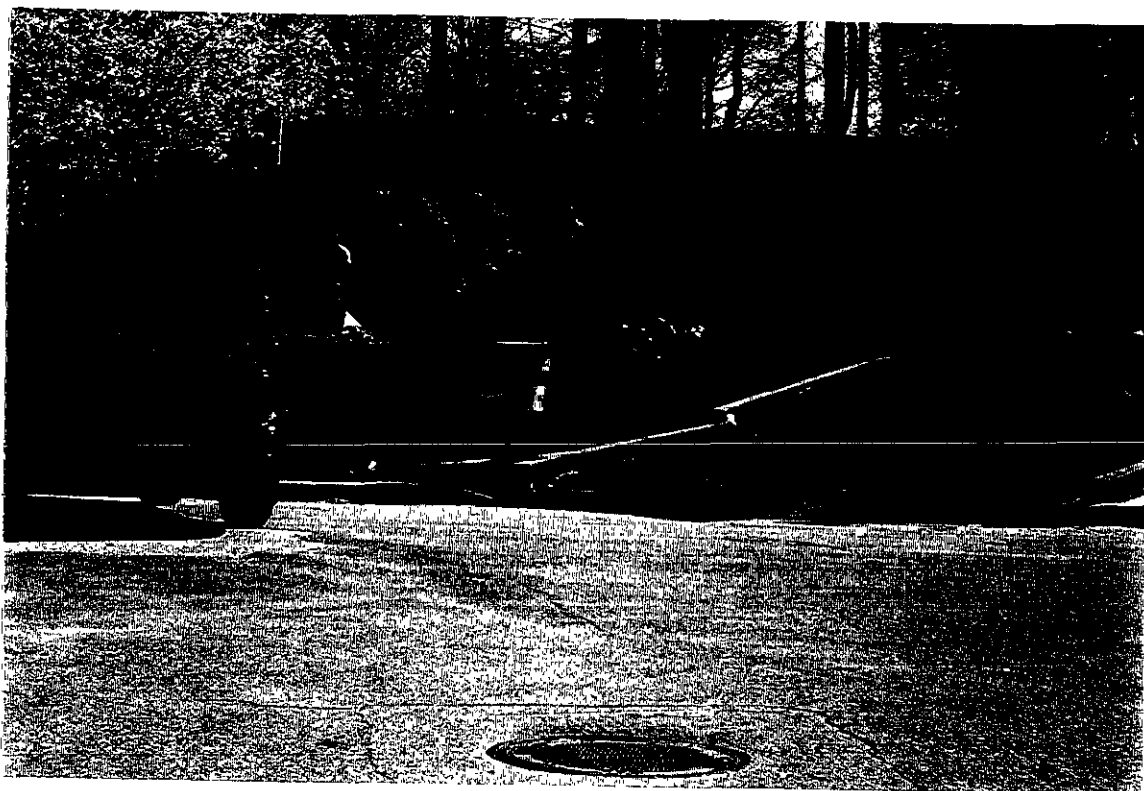


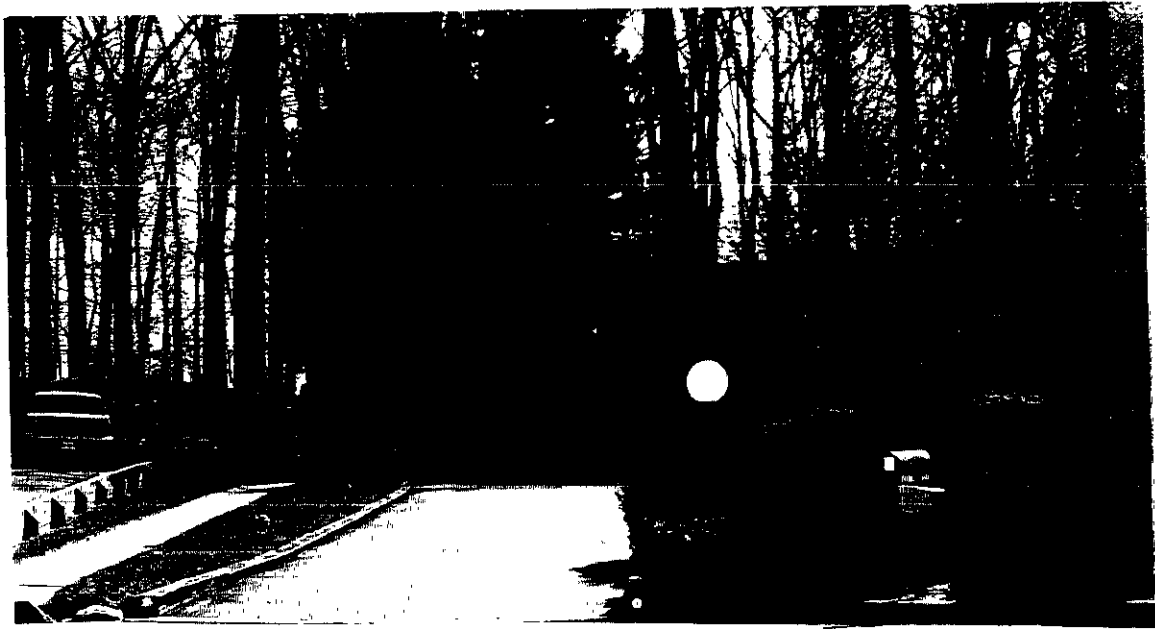
Petitioner's
Exhibit

2A-2C

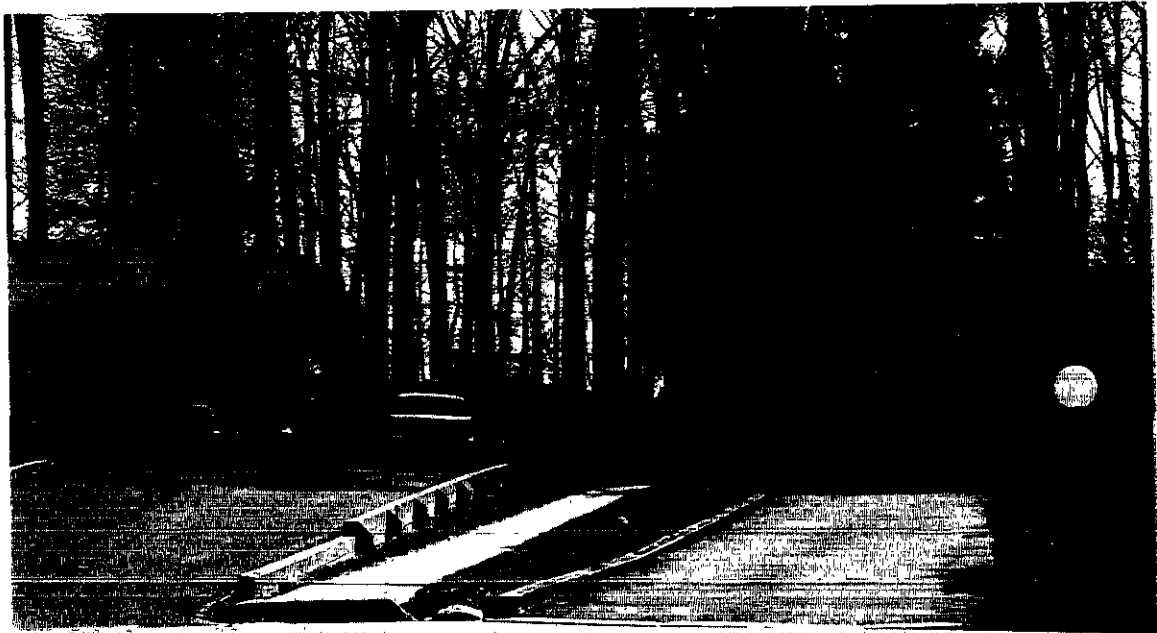
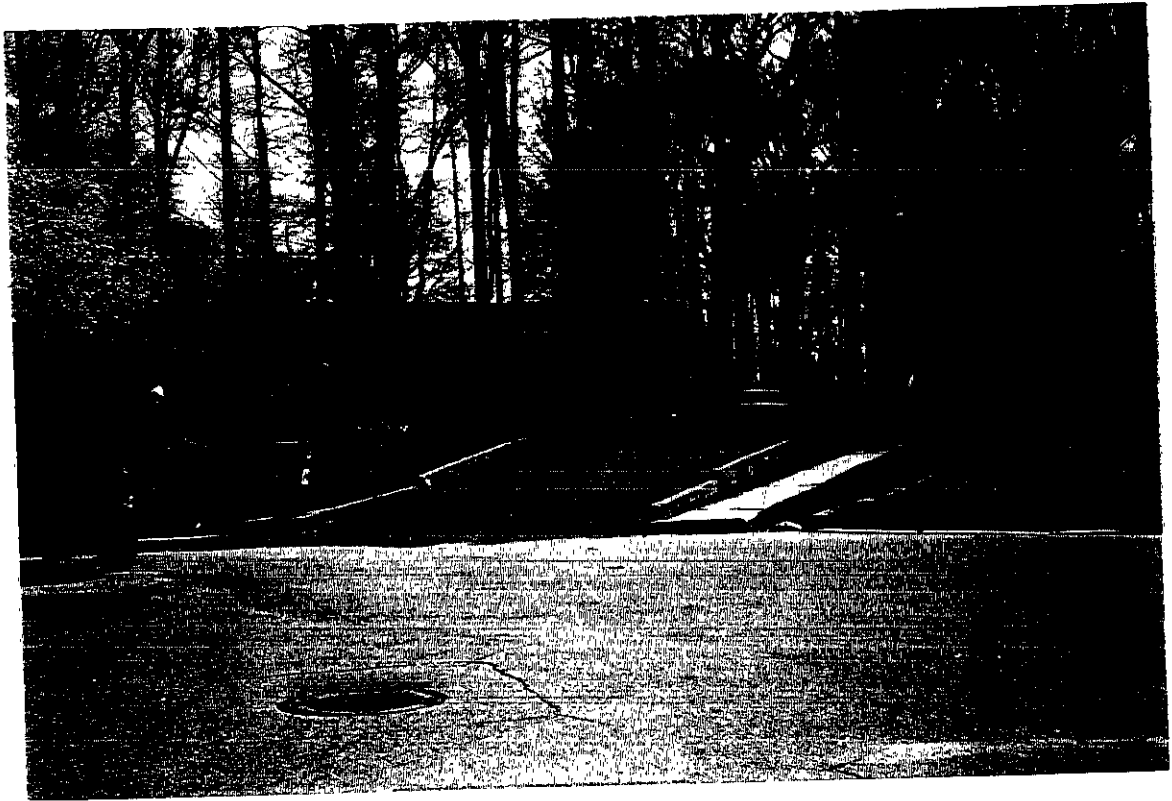
photographs

Case 96-268-A









1. The first photograph shows a snowy forest path leading into a dense forest of tall, thin trees. The path is covered in snow and the lighting is dramatic, with strong shadows and highlights on the snow.

2. The second photograph shows a snowy forest path leading into a dense forest of tall, thin trees. The path is covered in snow and the lighting is dramatic, with strong shadows and highlights on the snow.

Protestant's
Exhibits 2,
4A-4C, &
5A-5D

photographs
in
Case 96-268-A

